

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

FRED HANEY, MARSHA MERRILL,
SYLVIA RAUSCH, STEPHEN SWENSON,
and ALAN WOOTEN, individually, and on
behalf of all others similarly situated,

Plaintiffs,

v.

GENWORTH LIFE INSURANCE
COMPANY and GENWORTH LIFE
INSURANCE COMPANY OF NEW
YORK,

Defendants.

Civil Action No.: 3:22-cv-00055-REP

**DECLARATION OF BRIAN D. PENNY IN SUPPORT OF REPLY MEMORANDUM OF
LAW IN SUPPORT OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS
ACTION SETTLEMENT**

I, Brian D. Penny, hereby declare as follows:

1. I am a partner in the law firm of Goldman Scarlato & Penny, P.C., one of four firms the Court appointed Class Counsel in the above-captioned action.

2. Attached hereto are true and correct copies of the following documents:

- | | |
|------------------|---|
| Exhibit 1 | Supplemental Declaration of Cameron R. Azari, Esq. on Implementation and Adequacy of Settlement Notice Plan |
| Exhibit 2 | Excerpts from the 2012 Broker World LTCI Survey |
| Exhibit 3 | Excerpts from the 2013 Broker World LTCI Survey |
| Exhibit 4 | Excerpts from the 2014 LTCI Survey |
| Exhibit 5 | Excerpts from the 2017 Broker World LTCI Survey |
| Exhibit 6 | Extracts from the 2020 LTCI Survey |
| Exhibit 7 | Extracts from the 2021 LTCI Survey |
| Exhibit 8 | Letter from Jerry Dean received by Epiq |

I declare under penalty of perjury under the laws of the United States that the foregoing are true and correct, and that this declaration was executed this 3rd day of November, 2022.

/s/ Brian D. Penny

BRIAN D. PENNY

CERTIFICATE OF SERVICE

I hereby certify that on November 3, 2022, I filed the foregoing pleading or paper through the Court's CM/ECF system, which sent a notice of electronic filing to all registered users.

/s/ Jonathan M. Petty

Jonathan M. Petty (VSB No. 43100)

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